

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|---------------------------------------|-------------------------------|
| DONALD ORLANDO OVERMILLER, | CIVIL NO. 1:CV-06-0025 |
| Plaintiff | : |
| v. | : |
| COMMONWEALTH OF YORK, | : |
| Defendant | : |

MEMORANDUM AND ORDER

On February 1, 2006, this court dismissed an amended complaint of Plaintiff for failure to comply with a prior order of court. The February 1, 2006 order also denied as moot Defendant's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). On February 2, 2006, Plaintiff filed another amended complaint. In this complaint, Plaintiff now lists as Defendants York County Adult Probation; Springettesbury Police Department, and York County Prison.

The recent amended complaint suffers from the same deficiencies as all previous complaints. Plaintiff alleges that he was discriminated against because his mother is from Spain, was tortured and assaulted in prison, and was given probation. He again does not identify the persons involved nor the nature of their actions that resulted in a constitutional violation. His statements are conclusory.

Plaintiff has attempted to respond to Defendant's Rule 12(b)(6) motion by writing a response on his copy of the motion. Plaintiff's responses are again conclusory and fail to state a cause of action.

IT IS THEREFORE ORDERED THAT:

- 1) The order of February 1, 2006 remains as stated.¹
- 2) Plaintiff is prohibited from filing any further complaints without first obtaining court approval.

s/Sylvia H. Rambo

SYLVIA H. RAMBO
United States District Judge

Dated: February 3, 2006.

¹Except to correct the cite at page 2 of the February 1, 2006 order to read, *Carswell v. Borough of Homestead*, 381 F.3d 235 (3d Cir. 2004).